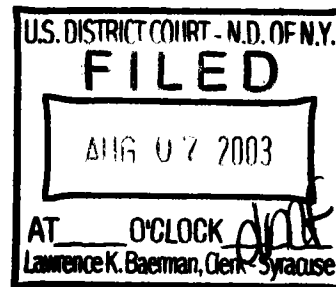


26



UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK
Civil Action No.: 02-CV-1589(NAM-GLS)

MARCELA OLVERA-MORALES, ON)
BEHALF OF HERSELF AND ALL OTHERS)
SIMILARLY SITUATED,)

Plaintiffs,)

v.)

STERLING ONIONS, INC.; ZAPPALA)
FARMS, LLC; ZAPPALA HOLDING)
COMPANY, LLC; ZAPPALA ENTERPRISES,)
INC.; JAMES ZAPPALA; INTERNATIONAL)
LABOR MANAGEMENT CORPORATION,)
INC.; NORTH CAROLINA GROWERS')
ASSOCIATION, INC.; and DEL-AL)
ASSOCIATES, INC.,)

Defendants.)

AFFIDAVIT OF C. STAN EURY

The undersigned, being duly sworn, says and alleges as follows:

1. I am President of International Labor Management Corporation ("ILMC"). I have held this office since June 14, 1995. By way of background, ILMC is a North Carolina corporation

that provides various services to its clients, who are owners and operators of various agricultural and non-agricultural businesses outside of North Carolina.

2. I also am the Executive Director of the North Carolina Growers Association ("NCGA"). I have held this position since November 16, 1989. NCGA is a North Carolina corporation that provides various services to its members, who are owners and operators of agricultural businesses in North Carolina.

3. Among the services ILMC provides to its clients is assistance in securing foreign labor through the federal H-2A temporary agricultural and H-2B temporary nonagricultural programs. Among the services NCGA provides to its members is assistance in securing foreign labor through the federal H-2A temporary agricultural program.

4. The H-2A and H-2B programs establish a means for U.S. employers who anticipate a shortage of domestic agricultural (H-2A) and non-agricultural (H-2B) labor to apply for permission to recruit and employ foreign workers to perform labor or services of a temporary or seasonal nature in the United States. Many of these foreign workers come from Mexico.

5. From January 1, 1999 through December 31, 1999, ILMC employed four employees on its staff. These employees were Dora Boger, Linda Luck, Patricia Sowards and Cheryl Marsh. From January 1, 2000 through January 31, 2000, ILMC employed six employees. These employees were Dora Boger, Linda Luck, Patricia Sowards, Cheryl Marsh, Terry Graham and Theresa Bowles.

At no time during either 1999 or 2000, did ILMC employ fifteen or more employees for each working day in each of twenty or more calendar weeks.

This the 5th day of August, 2003.



C. Stan Eury

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 5th DAY
OF AUGUST, 2003.



Notary Public

My Commission Expires:

8/5/06